C.J.’s Court

Writ Petition No. 814(M/B) of 2001
Alok Verma ..... Petitioner
Vs.
State of Uttaranchal
and others ..... Respondents
.....
Writ Petition No. 798/2001 (M/B)
Raghubeer singh ..... Petitioner
Vs.
H.N.B.P.G. College,
Khatima and others.... Respondents
.....
Writ Petition No. 803 M/B of 2001
Kamal Singh Rawat..... Petitioner
Vs.
State and others..... Respondents
.....
Writ Petition No. 804 of 2001
Satindra Kumar Hyanki.... Petitioner
Vs.
V.C.,Kumaon University
and others ..... Respondents
.....
Writ Petition No. 806 M.B. of 2001
Shailendra Kumar .... Petitioner
and one another
Vs.
V.C.,Kumaon University
and others ..... Respondents
.....
Writ Petition No. 808 M.B. of 2001
Hemant Tyagi ..... Petitioner
Vs.
V.C.,H.N.B.University
Sri Nagar, Garhwal and
others ..... Respondents
.....
Writ Petition No. 811 MB of 2001
Jitendra Kumar
Verma ..... Petitioner
Vs.
Principal, Govt. P.G.
College, Bageshwar and
others ..... Respondents
.....
Writ Petition No. 815(M/B) of 2001
Sanjay Kumar Tyagi.... Petitioner
Vs.
Govt. P.G. College,
Ram Nagar and others.... Respondents
.....

Writ Petition No. 816(M/B) of 2001
Ajay Kumar Thakur ..... Petitioner
Vs.
State of Uttaranchal
and others ..... Respondents
.....
Writ Petition No. 1835(M/S) of 2001
Hardeep Singh ..... Petitioner
Vs.
State of U.P. and others.. Respondents
.....
Writ Petition No. 5455 MS of 2001
Manoj Kumar Joshi ..... Petitioner
Vs.
Kumaon University
And one another ..... Respondents

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Hon.A.A.Desai,C.J.
Hon.M.C.Jain,J.

In this bunch of petitions, the common question involved is whether the students above the age of 25 and the students who have been admitted provisionally could contest election of the student council.

The learned counsel appearing in these petitions have urged that the students have the right to contest election. The rules or instructions are arbitrary making discrimination by carving out various classes which are not based on intelligible different. We heard the group of lawyers at length.

Undisputedly, election of the student council is a secondary activity in the academic sphere, may be University or College. Undisputedly further, this right is not conferred on the student by statute either the University or College Authorities are competent to regulate this anciliary activity. While regulating, if they are imposing certain prohibitions or restrictions on the particular category of student, namely, who are above the age of 25 and those admitted provisionally,

we do not see any irrationality or violation of any fundamental right since the election is provided by the University or College on their own volition. No right is involved of the students. The petitions are, therefore, without any merit.

We dismiss all the petitions. Interim order dated 21.09.2000 passed in writ petition no. 1835 MS/2001 is hereby vacated.

(A.A.Desai,C.J.) (M.C.Jain,J.)

Dt. 28.09.2001

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